

That Chapter 10, ZONING ORDINANCE, be amended by striking Article 5, Measurement Rules, Section 10.515.14; by amending Section 10.515.13; and by adding new Sections 10.811.60 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinances of the City of Portsmouth, all in order to bring the Zoning Ordinance into better alignment with the Building Code, and to increase governmental efficiency, to be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

## Article 5 Dimensional and Intensity Standards

### Section 10.510 General Requirements

#### 10.515 Measurement Rules

10.515.13 Fences not over 4 feet in height shall be exempt from front yard requirements, and fences not over **8 6** feet in height shall be exempt from side and rear yard requirements.

~~10.515.14 — A mechanical system (i.e. HVAC, power generator, etc.) that is less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet shall be exempt from yard requirements, but shall be set back at least 10 feet from a property line; and shall not be located closer to the street than the front of the principal structure.~~

## Article 8 Supplemental Use Standards

### Section 10.810 Residential and Institutional Residence of Care Uses

#### 10.811 Accessory Uses to Permitted Residential Uses

10.811.60 Any **lot** containing one or two **dwelling units** is permitted to construct and maintain up to one, one-story detached accessory structure used as a tool or storage shed, playhouse, treehouse, or similar use per dwelling unit on the property, with a square footage not greater than 120 square feet. Accessory structures permitted by this section shall not require any permit, and shall be generally exempt from all provisions of this ordinance except Article 10, Environmental Protection Standards, Section 10.516.30, Corner Lot Vision Obstruction, and Section 10.630 **Historic District**.

10.811.61 Swings and other playground equipment as well as above-ground prefabricated pools and hot tubs are permitted as accessory to single and two family **dwellings** and are generally exempt from all provisions of this ordinance except Article 10, Environmental Protection Standards and Section 10.516.30, Corner Lot Vision Obstruction.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

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Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

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Kelli L. Barnaby, City Clerk